

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VANESSA CRUZ-SMITH	:	CIVIL ACTION
	:	
v.	:	No. 10-3609
	:	
MICHAEL SINCLAIR, et al.	:	

ORDER

AND NOW, this 18th day of August, 2011, it is ORDERED Defendants' Motion to Dismiss (Document 10) is GRANTED in part and DENIED in part. The motion is granted insofar as (1) Plaintiff Vanessa Cruz-Smith's First Amendment retaliation claim pursuant to 42 U.S.C. § 1983 is DISMISSED without prejudice against all Defendants; (2) Cruz-Smith's § 1983 equal protection claims against Thomas Trachta, Frederick Lahovski, and the Borough of Nazareth are DISMISSED without prejudice; and (3) Cruz-Smith's demand for punitive damages under the Pennsylvania Human Relations Act is STRICKEN. The motion is otherwise denied.

It is further ORDERED Plaintiff may file an amended complaint no later than September 19, 2011.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.